



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

115

CRM-M-37404-2025 (O&M)

Date of decision: 24.03.2026

Vishal Singh

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rishu Mahajan, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. B.S. Jaswal, Advocate and

Mr. Ankit Bhardwaj, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

1. This second petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.274 dated 14.12.2023, registered under Section(s) 302/307/452/427/148/149/120-B of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959 at Police Station Gharinda, Amritsar, after the first bail petition had been dismissed as withdrawn vide order dated 20.03.2024 i.e. after a lapse of 02 years.

2. As per the allegations, complainant/Shamsher Singh is a labourer, his father Bikramjit Singh is a respectable person of the village and was contesting for the post of Sarpanch in forthcoming elections. He has thus had an active social life. Kuldeep Singh son of Bhag Singh was known to the complainant as well as his father Bikramjit Singh and he used to often come to their house. The said Kuldeep Singh had a dispute with Hardeep

Singh son of Mahinder Singh of their village for some property. For resolution of the said dispute, Kuldeep Singh, Harjit Singh and other respectable persons of the village had gathered in the house of the complainant. On the previous night, certain persons had created nuisance in the village and they had exhorted that they would grab the land of Kuldeep Singh forcibly. On 14.12.2023, at about 8.30 a.m., the complainant alongwith his father and other respectables of the village including Kuldeep Singh went to the house of Hardeep Singh to inquire about the nuisance created by them on the previous night. Karamjit Singh was already present at that place. On seeing the complainant party, Karamjit Singh contacted Nirvail Singh Sarpanch on mobile and called him to reach the spot. When the complainant party posed questions to Hardeep Singh, he got enraged and started abusing them. The complainant party thus started returning back, however, Nirvail Singh Sarpanch and his son Vishal Singh (petitioner herein) armed with pistol, Jashan Singh armed with pistol, Sukhwant Singh @ Ganja, Satnam Singh, Simran Singh, Amarbir Singh came from the opposite side raising *lalkara*. While Karamjit Singh armed with pistol came from the back side, Manbir Singh exhorted that they be caught hold of and taught a lesson for taking possession of the land. Thereupon, Karamjit Singh fired shot which struck the right flank of Manjit Singh @ Laddi (uncle of the complainant). Vishal also fired a shot which hit the right thigh of Bikramjit Singh (father of the complainant). The complainant party raised an alarm whereupon, the assailants ran away from the spot after causing damage to the vehicles. The injured were shifted to the Hospital. Manjit Singh @ Laddi (uncle of the complainant) died in the said incident, during

the treatment.

3. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been in custody since 14.12.2023 and has undergone an actual custody of more than 02 years 03 months. He contends that the investigation in the present case already stands completed and a final report has also been filed on 13.03.2024. He contends that notwithstanding such a prolonged custody, charge has yet not been framed and there are total 25 witnesses cited by the prosecution. He contends that the role attributed to the petitioner is a gun fire shot on Bikramjit Singh and that too on the right thigh which is a non-vital part. He contends that fatal shot on the person of Manjit Singh @ Laddi (uncle of the complainant) is attributed to Karamjit Singh. It is submitted that the petitioner is a young boy aged 24 years and that prolonged incarceration is likely to destroy all his potential.

4. Learned counsel for respondent-State as well as the learned counsel for the complainant although do not dispute the facts referred to above, however, it is contended that the weapon held by the petitioner was handed over by him to the co-accused, who again fired a shot resulting in the fatal blow, hence, the petitioner is a part of the conspiracy which resulted in the death of Manjit Singh @ Laddi (uncle of the complainant). The other pleaded facts, as noticed above, are however not disputed.

5. Without commenting on the merits of the case and taking into consideration the facts and circumstances as noticed above, including the role attributed to the petitioner i.e. having caused injury to the eye witness, the period of actual custody already undergone by him, the young age as well as the stage of the trial and bearing in mind that the conclusion of the

trial is likely to take a long time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

24.03.2026

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No